

Notice of Allowability

Application No.

10/647,366

Examiner

David N. Spector

Applicant(s)

SAHM ET AL.

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to FAOM.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 0803 (8-25-2003)
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other DETAILED ACTION - ALLOWANCE.

DETAILED ACTION - ALLOWANCE

1. Claims 1-18 are allowed. All claims thus being allowable, prosecution on the merits is closed in this application. A statement of the examiner's reasons for allowance is provided in the paragraph which follows below.

2. The instant application is deemed to be directed to a nonobvious improvement over the invention of Tannemyer et al. (U.S. Patent No. 6,081,383) disclosed by applicant as being a representative example in the art to which the instant invention pertains. In particular, said improvement extends the service-life of a "gobo" of the type taught by Tannemyer et al. (*i.e. a device for projecting a pattern in several colors; comprising, inter alia, a plurality of substrates/layers*) by limiting the entrapment of air between/among the plurality of substrates included in the gobo during its manufacture, and preventing the incursion of contaminants therein. The improvement is embodied in said gobo by bonding the substrates/layers not along the periphery of the disc-like substrates (*e.g. as taught by Tannemyer et al.*), but over the entirety of the surfaces between adjoining substrates to form an integrally bonded structure, as recited in the last three (3) lines of applicants' independent claim 1. A method for making such integrally bonded structures for the realization of the improvement is also embodied in the six steps recited in applicant's independent claim 14. The prior art taken either singly or in combination fails to anticipate or fairly suggest the limitations of applicant's independent claims, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The claimed invention is therefore considered to be in condition for allowance as being novel and nonobvious over prior art.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Other Remarks/Information

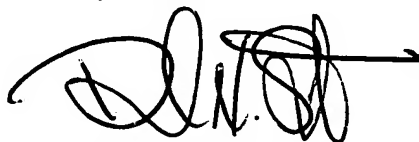
4. The drawings filed on August 24, 2003 appear to be informal. In order to avoid abandonment of this application, **NEW FORMAL DRAWINGS ARE REQUIRED IN REPLY TO THE OFFICE ACTION**. This requirement will not be held in abeyance.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hutton (U.S. Patent No. 5,959,768) was cited in applicants' specification but not included under the Information Disclosure Statement (IDS) submitted on August 24, 2003.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7. Any other inquiry concerning this communication or earlier communications from the examiner should be directed to David N. Spector whose telephone number is (571) 272-2338. The examiner can normally be reached at this number Monday through Friday between 6:00 AM and 2:30 PM. The fax number for the organization where this application is assigned is (703) 872-9306.

September 17, 2004

A handwritten signature in black ink, appearing to read 'D. N. Spector', with a long horizontal stroke extending to the right.

DAVID N. SPECTOR
PRIMARY EXAMINER